

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Circuit Mediation Office

Phone (415) 355-7900 Fax (415) 355-8566

<http://www.ca9.uscourts.gov/mediation>

MEDIATION QUESTIONNAIRE

The purpose of this questionnaire is to help the court's mediators provide the best possible mediation service in this case; it serves no other function. Responses to this questionnaire are **not** confidential. Appellants/Petitioners must electronically file this document within 7 days of the docketing of the case. 9th Cir. R. 3-4 and 15-2. Appellees/Respondents may file the questionnaire, but are not required to do so.

9th Circuit Case Number(s):	<input type="text" value="12-15498"/>		
District Court/Agency Case Number(s):	<input type="text" value="2:10-cv-02911"/>		
District Court/Agency Location:	<input type="text" value="Eastern District of California (Sacramento)"/>		
Case Name:	<input type="text" value="Enos"/>	v.	<input type="text" value="Holder"/>
If District Court, docket entry number(s) of order(s) appealed from:	<input type="text" value="Nos. 24, 63 (granting defendants' motion to dismiss)"/>		
Name of party/parties submitting this form:	<input type="text" value="Federal appellees (Holder, Mueller, the United States)"/>		
Please briefly describe the dispute that gave rise to this lawsuit.			
<input type="text" value="Plaintiffs-appellants seek a declaratory judgment voiding the bar on their possession of firearms imposed by 18 U.S.C. 922(g)(9), which prohibits the possession of firearms by persons who have been convicted of domestic violence misdemeanors."/>			
Briefly describe the result below and the main issues on appeal.			
<input all="" and="" gave="" interlocutory="" judgment."="" orders="" rise="" that="" the="" to="" type="text" value="The district court dismissed plaintiffs' claims that (1) Section 922(g)(9) may not constitutionally be applied to them, (2) they qualify for an exception to Section 922(g)(9) because their state law firearm rights have been restored, and (3) they were not actually convicted of a misdemeanor crime of domestic violence because they did not knowingly and intelligently waive their right to a jury trial in the underlying state proceedings. Plaintiffs appeal the district court's final judgment dismissing this case "/>			
Describe any proceedings remaining below or any related proceedings in other tribunals.			
<input type="text" value="There are no remaining proceedings below and the government is not aware of any related proceedings in other tribunals."/>			

Provide any other thoughts you would like to bring to the attention of the mediator.

Any party may provide additional information *in confidence* directly to the Circuit Mediation Office at ca09_mediation@ca9.uscourts.gov. Please provide the case name and Ninth Circuit case number in your message. Additional information might include interest in including this case in the mediation program, the case's settlement history, issues beyond the litigation that the parties might address in a settlement context, or future events that might affect the parties' willingness or ability to mediate the case.

CERTIFICATION OF COUNSEL

I certify that:

a current service list with telephone and fax numbers and email addresses is attached

☒ (see 9th Circuit Rule 3-2).

I understand that failure to provide the Court with a completed form and service list

☒ may result in sanctions, including dismissal of the appeal.

Signature

/s Anisha S. Dasgupta

("s/" plus attorney name may be used in lieu of a manual signature on electronically-filed documents.)

Counsel for

Federal appellees

Note: Use of the Appellate ECF system is mandatory for all attorneys filing in this Court, unless they are granted an exemption from using the system. **To file this form electronically** in Appellate ECF, complete the form, and then print the filled-in form to PDF (File > Print > PDF Printer/Creator). Then log into Appellate ECF and choose Forms/Notices/Disclosure > File a Mediation Questionnaire.

CURRENT SERVICE LIST

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